

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

NICOLE BROOKS,

Plaintiff,

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

Case No. 09-10410

Hon. Gerald E. Rosen

Magistrate Judge Donald A. Scheer

**ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on January 28, 2010

PRESENT: Honorable Gerald E. Rosen
Chief Judge, United States District Court

On November 30, 2009, Magistrate Judge Donald A. Scheer issued a Report and Recommendation ("R & R") recommending that the Court deny Plaintiff Nicole Brooks's motion for summary judgment and grant the Defendant Commissioner of Social Security's motion for summary judgment. No objections have been filed to the R & R. Upon reviewing the R & R, the parties' cross-motions for summary judgment, and the record as a whole, the Court fully concurs in the analysis of the Magistrate Judge, and adopts the R & R in its entirety.

Accordingly,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's November 30, 2009 Report and Recommendation is ADOPTED as the opinion of this Court. IT IS FURTHER ORDERED that, for the reasons stated in the R & R, Plaintiff's August 7, 2009 motion for summary judgment (docket #13) is DENIED, and Defendant's November 9, 2009 motion for summary judgment (docket #18) is GRANTED.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: January 28, 2010

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 28, 2010, by electronic and/or ordinary mail.

s/Ruth Brissaud
Case Manager